

May 15, 2007

Pentlarge Law Group
1400 West Benson Blvd. Suite 550
Anchorage, AK 99503-3690

Attn: Robert Jurasek
Subject: Meyer vrs Cattle Company

Dear Mr. Jurasek:

The purpose of this letter is to:

1. Provide you with clarification regarding the references to the Uniform Federal Accessibility Standards (UFAS) 1988 edition made in my previous letter on this subject.
2. Provide information to show how the appropriate accessibility standards are relevant to this case.

The specific reference in my previous letter requiring clarification was the Uniform Federal Accessibility Standard (UFAS), 1988 edition. The UFAS was specifically written to address accessibility requirements for properties with Federal interest. It is not applicable to this case. The document I should have referenced was ICC/ANSI A117.1-98. As a note, both UFAS and the Americans with Disabilities Act Accessibility Guidelines, 1990 (ADAAG) are based on (and so state in their opening sections) the original American National Standards Institute (ANSI) Standard A117.1. It was adopted in 1961. Its most current edition was published in 1980.

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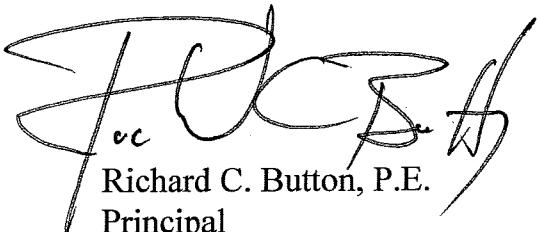
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Regarding referencing and relevance of the ICC/ANSI A117.1-98 in this case. The Municipality of Anchorage (MOA) has adopted the International Building Code (IBC), 2003 edition, as its standard for building structures on any occupancy type. The IBC chose not to simply adopt ANSI A117.1, but, with the permission of ANSI, to codify it as ICC/ANSI A117.1-98. The ICC/ANSI A117.1-98 is effectively adopted by the MOA since it is part of the IBC.

Nothing in this letter changes the opinions expressed in my first letter or my deposition.

I have attached excerpts from the ICC/ANSI A117.1-98 and IBC for your information. If you have questions, please do not hesitate to call.

Sincerely,



Richard C. Button, P.E.
Principal
RCB/rb

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Appendix A

The following are excerpts from the different referenced documents to illustrate that the language used by each is extremely similar, if not exact, especially in the area of "changes in level".

ICC/ANSI A117.1-98:

303.1 General. Changes in level floor or ground surfaces shall comply with Section 303.

303.2 Vertical. Changes in level of $\frac{1}{4}$ inch (6 mm) high maximum shall be permitted to be vertical.

303.3 Beveled. Changes in level between $\frac{1}{4}$ inch (6 mm) high minimum and $\frac{1}{2}$ inch (13 mm) high maximum shall be beveled with a slope not steeper than 1:2.

303.4 Ramped. Changes in level greater than $\frac{1}{2}$ inch (13 mm) shall be ramped and shall comply with Section 405 or 406.

UFAS:

Under section 4.5.2, Changes in Level, the standard says changes in level up to $\frac{1}{4}$ of an inch may be vertical without edge treatment. Changes in level between $\frac{1}{4}$ and $\frac{1}{2}$ inch shall be beveled with a slope no greater than 1 vertical in 2 horizontal. Changes in level greater than $\frac{1}{2}$ inch shall be accomplished by means of a ramp.

ADAAG:

4.5.2 Changes in Level. Changes in level up to $\frac{1}{4}$ in (6 mm) may be vertical and without edge treatment (see Fig. 7(c)). Changes in level between $\frac{1}{4}$ in and $\frac{1}{2}$ in (6 mm and 13 mm) shall be beveled with a slope no greater than 1:2 (see Fig. 7(d)). Changes in level greater than $\frac{1}{2}$ in (13 mm) shall be accomplished by means of a ramp that complies with 4.7 or 4.8.

IBC:

1008.1.4 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each of the door. Landings shall be level except for exterior landings, which are to be permitted to have a slope not to exceed $\frac{1}{4}$ " vertical in 12" horizontal (2 percent slope).

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1008.1.6 Thresholds. Thresholds at doorways shall not exceed $\frac{3}{4}$ " in height for sliding doors serving dwelling units or $\frac{1}{2}$ " for other doors. Raised thresholds and floor level changes greater than $\frac{1}{4}$ " at doorways shall be beveled with a slope not greater than one unit vertical in two units horizontal.

Chapter 11 Accessibility, 1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1.

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